



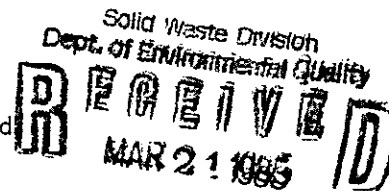
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Gofy
Department of Environmental Quality
SOUTHWEST REGION

201 W. MAIN, SUITE 2-D, MEDFORD, OREGON 97501 PHONE (503) 776-6010

March 20, 1985

CERTIFIED MAIL

Return Receipt Requested



Robert M. Blythe
Balteau Standard, Inc.
8001 Table Rock Road
Medford, OR 97501

RE: HW - Jackson County
ORD 095-015-749
-Notice of Violation
Transmittal of Inspection Results
NOV-HW-SWR/M-85-21

Dear Mr. Blythe:

An announced inspection of the hazardous waste generator activity was conducted at Balteau Standard on March 15, 1985. The following violations of Oregon's hazardous waste regulations OAR Chapter 340, Divisions 100 to 110, were observed. (Note: these violations are in addition to the Department's Notice of Violation of March 8, 1985 by Gary Calaba).

1. Violation of OAR 340-102-034(1)(c) "The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container".
2. Violation of OAR 340-102-034(1)(d) "While being accumulated on site, each container and tank is labeled or marked clearly with the words 'Hazardous Waste'".

Observed were eleven drums of solvent waste without an accumulation date marked. Of these eleven drums, ten drums were not marked with the words "hazardous waste".

As the last quarterly shipment was made December 31, 1984, the Department believes that on-site storage of these eleven drums has not exceeded 90 days. Provided Balteau Standard makes a manifested shipment of the eleven drums by the end of the first quarter 1985, the Department will not require compliance with OAR 340-102-034(2): Storage Facility Permit, or alternatively compliance with OAR 340-104-110(1): Closure.

3. Violation of OAR 340-102-011 "A person who generates a solid waste, as defined in OAR 340-101-002, must determine if that waste is a hazardous waste..."



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Balteau Standard has generated a solid waste as defined in OAR 340-101-002. This solid waste has been accumulated and stored in 27 55-gallon drums. The rate of accumulation is a period of years up to the present. A determination that the solid waste is or is not a hazardous waste has not been made in violation of OAR 340-102-011. Observed were seven 55-gallon drums marked "Epoxy Waste" and 20 55-gallon drums with no positive indication of the contents.

Should one or more drums of the solid waste be found to be a hazardous waste, the Department will initiate enforcement action. Enforcement action will include, at a minimum, that Balteau Standard:

1. Make a manifested shipment of the hazardous waste; and
2. Comply with OAR 340-102-034(2): Storage Facility Permit; or
3. Comply with OAR 340-104-110(1): Closure.

To comply: Balteau Standard is requested to obtain representative samples of the Epoxy waste and from each of the 20 drums of unknown waste. Samples are to be submitted for analysis (i.e. Balteau lab or independent lab) by April 15, 1985. Results of the analyses shall be submitted to the Department within five (5) days of receipt.

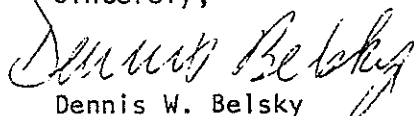
4. Violation of OAR 340-102-034(1)(e) by failing to comply with Personnel Training (OAR 340-104-016); Preparedness and Prevention (OAR 340-104 Subdivision C); and Contingency Plan and Emergency Procedures (OAR 340-104 Subdivision D).

Balteau Standard generates hazardous waste at a rate equal to or greater than 2,000 pounds in a calendar month. The provisions of OAR 340-102-034(1)(e) are applicable as described. A copy of EPA guidance documents to aid in complying with 034(1)(e) is attached.

To comply: Balteau Standard is requested to submit to the Department no later than April 15, 1985 evidence of compliance with Personnel Training; Preparedness and Prevention; and Contingency Plan and Emergency Procedures.

Thank you for your cooperation during the hazardous waste inspection. Please feel free to contact me if you have any questions. Balteau Standard, Inc. efforts to comply with Oregon's hazardous waste management regulations are appreciated.

Sincerely,



Dennis W. Belsky
Regional Programs Consultant

DB:fs
attch.

cc: 